

DOCKET NO. D-90-89 CP-3

DELAWARE RIVER BASIN COMMISSION

**New Jersey-American Water Company
Belvidere System - Ground Water Withdrawal
White Township, Warren County, New Jersey**

PROCEEDINGS

This docket is issued in response to an application submitted by New Jersey-American Water Company and referred to the Commission pursuant to an Administrative Agreement under Sections 2-3.4 (a) and 2-3.7 of the *Administrative Manual - Part II, Rules of Practice and Procedure* by the New Jersey Department of Environmental Protection (NJDEP) on July 15, 2004, for renewal of an allocation of ground water and review of a ground water withdrawal project approved by the Delaware River Basin Commission (DRBC) on October 22, 1997. The project wells were approved by the NJDEP on July 15, 2004, (Permit No. 5158).

The application was reviewed for continuation of the project in the Comprehensive Plan and approval under Section 3.8 of the *Delaware River Basin Compact*. The Warren County Planning Board has been notified of the application for this permit. A public hearing on this project was held by the DRBC on October 27, 2004.

DESCRIPTION

Purpose. The purpose of this project is to continue to supply water to the New Jersey-American Water Company's Belvidere System from existing Wells Nos. 1 and 2.

The proposed total allocation of ground water is an increase in existing allocation from 15.0 to 28.5 million gallons per 30 days (mg/30 days).

Location. The project wells are located in the Pophandusing Brook Watershed, approximately 1,000 feet southeast of the Town of Belvidere in White Township, Warren County, New Jersey, as follows:

WELL NO.	LATITUDE (N)	LONGITUDE (W)
1	40° 49' 03"	75° 03' 44"
2	40° 49' 03"	75° 03' 43"

The project wells are cased into the Kittatinny Formation.

Area served. The New Jersey-American Water Company (NJAWC) Belvidere System serves water to the Town of Belvidere and an adjacent portion of White Township as indicated on a map entitled "Washington/Belvidere Service Area Map" submitted with the application.

Physical features.

a. **Design criteria.** NJAWC requests an increase in allocation for the Belvidere System in order to provide for projected residential growth in their service area, in conjunction with one seasonal use irrigation customer, with a maximum demand of approximately 6.8 mg/30 days. The Belvidere System supplies water to an estimated population of 3,018, with an average and maximum demand of 17.47 mg/30 days and 19.2 mg/30 days, respectively. By the year 2012, the applicant projects a population of 3,893, with an average and maximum demand of 22.49 mg/30 days and 28.5 mg/30 days, respectively.

b. **Facilities.** The existing project wells have the following characteristics:

WELL NO.	DEPTH	CASED DEPTH/ CASING DIAMETER	PUMP CAPACITY	YEAR DRILLED
1	198'	174'	350 gpm	1989
2	203'	188'	350 gpm	1989

All water service connections are metered.

All wells are metered.

The Belvidere System is not interconnected with any other distribution system.

The water from the project wells is treated by chlorination and corrosion control.

The project facilities are above the 100-year flood elevation of Popandusing Brook.

c. **Other.** Wastewater is conveyed to the Belvidere Area sewage treatment facility most recently approved by DRBC Docket No. D-71-94 CP (Revised) on May 24, 1978. The treatment facility has adequate capacity to receive wastewater from the proposed project.

Cost. The overall cost of this project is estimated to be \$255,000.

Relationship to the Comprehensive Plan. The Belvidere System water supply facilities were previously included within the Comprehensive Plan by Docket Nos. D-90-89 CP and D-90-89 CP Renewal.

FINDINGS

The project is designed to conform to the requirements of the *Water Code* and *Water Quality Regulations* of the DRBC.

Although Wells Nos. 1 and 2 were originally docketed for an allocation of 15.0 mg/30 days, the wells were pump tested in 1989 at significantly higher respective pumping rates of 1250 and 600 gpm. Based on the original pump test data in conjunction with ground water modeling, Well No. 1 can sustain a pumping rate of 650 gpm and Well No. 2 can sustain a pumping rate of 600 gpm without adverse impacts to surrounding wells or water resources. In addition, based on a review of the data, the New Jersey Geological Survey (NJGS) reported that the drawdown in the aquifer resulting from pumping of Wells Nos. 1 and 2 is not likely to interfere with other users.

The DRBC estimates that the project withdrawals, used for the purpose of public water supply, result in a consumptive use of ten percent of the total water use. The DRBC definition of consumptive use is defined in Article 5.5.1.D of the *Administrative Manual – Part III – Basin Regulations – Water Supply Charges*.

The project does not conflict with the Comprehensive Plan and is designed to prevent substantial adverse impact on the water resources related environment, while sustaining the current and future water uses and development of the water resources of the Basin.

DECISION

- I. Effective on the approval date for Docket No. D-90-89 CP-3 below:
 - a. The projects described in Docket No. D-90-89 CP Renewal are removed from the Comprehensive Plan to the extent that they are not included in Docket No. D-90-89 CP-3; and
 - b. Docket No. D-90-89 CP Renewal is rescinded and replaced by Docket No. D-90-89 CP-3.

c. The project and the appurtenant facilities described in the Section entitled “Physical features” above shall be added to the Comprehensive Plan.

II. The project and appurtenant facilities as described in the Section entitled “Physical features” above are approved pursuant to Section 3.8 of the *Compact*, subject to the following conditions:

a. Docket approval is subject to all conditions, requirements, and limitations imposed by the NJDEP, and such conditions, requirements, and limitations are incorporated herein, unless they are less stringent than the Commission’s.

b. The wells and operational records shall be available at all times for inspection by the DRBC.

c. The wells shall be operated at all times to comply with the requirements of the *Water Code* and *Water Quality Regulations* of the DRBC.

d. During any 30-day period, the withdrawal from all wells shall not exceed 28.5 million gallons.

e. Existing wells are to be equipped, where possible, with readily accessible ports and drop pipes as repairs or modifications are made at each existing well.

f. This docket approval shall expire three years from date below unless prior thereto the docket holder has commenced operation of the subject project or has expended substantial funds (in relation to the cost of the project) in reliance upon this docket approval.

g. The project withdrawals shall be metered with an automatic continuous recording device that measures to within 5 percent of actual flow. An exception to the 5 percent performance standard, but no greater than 10 percent, may be granted if maintenance of the 5 percent performance is not technically feasible or economically practicable. A record of daily withdrawals shall be maintained, and monthly totals shall be reported to the NJDEP quarterly and shall be available at any time to the Commission if requested by the Executive Director.

h. Each new water service connection shall include a water meter in accordance with the DRBC’s Resolution No. 87-7 (Revised).

i. In accordance with DRBC Resolution No. 87-6 (Revised), the docket holder shall continue to implement to the satisfaction of the NJDEP, the systematic program to monitor and control leakage within the water supply system. The program shall at a minimum include: periodic surveys to monitor leakage, enumerate unaccounted-for water and determine the current status of system infrastructure; recommendations to monitor and control leakage; and a schedule for the implementation of such recommendations. The docket holder shall proceed expeditiously to correct leakages and unnecessary usage identified by the program.

j. The docket holder shall implement to the satisfaction of the NJDEP, the continuous program to encourage water conservation in all types of use within the facilities served by this approval. The docket holder will report to the NJDEP on the actions taken pursuant to this program and the impact of those actions as requested by the NJDEP.

k. No water service connections shall be made to newly constructed premises with plumbing fixtures and fittings that do not comply with water conservation performance standards contained in Resolution No. 88-2 (Revision 2).

l. The docket holder shall continue to implement its Water Conservation Plan as approved by NJDEP, and shall report to the NJDEP on actions taken pursuant to this program and the impact of those actions as requested by the NJDEP.

m. The docket holder shall implement to the satisfaction of the NJDEP, a drought or other water supply emergency plan.

n. No new water service connections shall be made to premises connected to sewerage systems which are not in compliance with all applicable effluent limits contained in State permits and the *Water Quality Regulations* of the Commission.

o. Nothing herein shall be construed to exempt the docket holder from obtaining all necessary permits and/or approvals from other State, Federal or local government agencies having jurisdiction over this project.

p. The area served by this project is limited to the service area as described above. Any expansion beyond this area is subject to review in accordance with Section 3.8 of the *Compact*.

q. This docket approval will expire on the expiration date indicated below unless the docket holder has submitted a complete application for renewal of this docket 12 months prior to the expiration date below, or permission has been granted by the DRBC for submission at a later date. In the event that a timely and complete application for renewal has been submitted and the DRBC is unable, through no fault of the docket holder, to reissue the docket before the expiration date, the terms and conditions of this docket will automatically continue and remain fully effective and enforceable pending the grant or denial of the application for docket approval.

r. The issuance of this docket approval shall not create any private or proprietary rights in the water of the Basin, and the Commission reserves the rights to amend, alter or rescind any actions taken hereunder in order to insure the proper control, use and management of the water resources of the Basin.

s. If the operation of this project significantly affects or interferes with any domestic or other existing wells or surface water supplies, or if the docket holder receives a complaint by any user of wells or surface water supplies within the zone of influence of the withdrawal, the docket holder shall immediately notify the Executive Director of any complaints by users of wells or surface water supplies within the zone of influence of the withdrawal, and unless excused by the Executive Director, shall investigate such complaints. Any well or surface water supply which is substantially adversely affected, or rendered dry or otherwise unusable as a result of the docket holder's project withdrawal, shall be repaired, replaced or otherwise mitigated at the expense of the docket holder. A report of investigation and/or mitigation plan prepared by a hydrologist shall be submitted to the Executive Director as soon as practicable. The Executive Director shall make the final determination regarding the validity of such complaints, the scope or sufficiency of such investigations, and the extent of appropriate mitigation measures, if required. The Executive Director may modify or suspend this approval, or require mitigating measures, pending additional review.

t. During any water emergency or other non-emergency declaration by the Governor of New Jersey, NJDEP or the Commission, water service or use by the project docket holder pursuant to this docket approval shall be subject to any order or restriction governing those non-essential uses specified by the NJDEP to the extent that they may be applicable, and to any other emergency resolutions or orders adopted by the Commission.

BY THE COMMISSION

APPROVAL DATE:

EXPIRATION DATE: October 27, 2014